

J-CAT Enterprises

39670 Knollridge Drive
Temecula, CA 92591

(951) 677-2380

February 26, 2007

Mr. Mike Manieri
Occupational Safety and Health Standards Boards
2520 Venture Oaks Way – Suite 350
Sacramento CA 95833

RE: Building Standards Code Petition

Dear Mike:

Following our telephone discussion several weeks ago, I spoke with Principal Safety Engineer Larry McCune, as you suggested. Mr. McCune recalled his previous approval of the safety cover that I submitted. Additionally, he instructed that I submit a petition for clarification of the ***California Code of Regulations, Title 8, Section 1712 with an urgency-needed addition*** which I attached for your consideration.

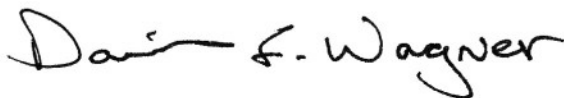
My position letter dated June 28, 2004 is attached as information and clarification of the purpose of this product. Also attached is a copy of the patent that has now been obtained.

A previous appeal was submitted to the California Building Standards Commission for inclusion in the California Code of Regulations Title 8. Their response, indicated in the attached letter, was that the appropriate body to handle this regulation is your agency.

Please review for change of the California Code of Regulations, Title 8, Section 1712 as soon as possible to protect the public from a dangerous injury or death.

Please contact me with any questions or concerns regarding this much-needed reform.

Sincerely,



David F. Wagner
Owner

Attachments (3) – J-Cat Column Base Cover
Photos of exposed column base hazards
Photos of cover in use

PETITION

CALIFORNIA CODE OF REGULATIONS

TITLE 8

Subchapter 4. Construction Safety Orders

Article 29 Erection & Construction

Sec. 1712 Hazards associated with the use of Reinforcing Steel (**ADD:** , *Column Base Brackets,*) and Other Similar Projections

a.) Scope This section applies to all work sites and locations where employees work around or over exposed, projecting, reinforcing steel (**ADD:** , *Column Base Brackets,*) or other similar projections.

- 1) Employees working at grade or at the same surface as exposed protruding reinforcing steel (**ADD:** , *column base brackets,*) or other similar projections, shall be protected against the hazard of impalement by guarding the exposed ends with protected covers, troughs, or caps.

J-CAT Enterprises

~~35825 Meadow Ridge Road~~
Temecula, CA 92592

~~(909) 302-0665~~

June 28, 2004

California Building Standards Commission
2525 Natomas Park Drive – Suite 130
Sacramento, CA 95833

RE: California Building Standards Code Petition

The purpose of my letter is to offer a proposal urgently needed for a new regulation.

Currently, there exists a dangerous and possibly fatal hazard in the construction industry that has been overlooked for years which is addressed in California Building Standards Code, Part 1, Article 1-8.

Almost always during concrete construction, Column Base Brackets, or straps, are installed in freshly-poured concrete which are needed to attach wood posts to concrete. This type of construction is commonly employed for decks and patio cover construction and any of various other building structures which require wood posts or columns for support.

The problem that occurs is that there is always a time between when the concrete crew pours the concrete and the carpenters bolt the wood posts in place. It is during this window of time that the upstanding metal flanges of the column base bracket become a dangerous projection that can cause serious lacerations, impalement and possibly even death. The potential for injury is very real!

There is currently mandated impalement prevention: a statute in the California Code of Regulations Title 8 Subchapter 4 Article 29 Section 1712 mandates any impalement possibilities to be securely covered by an OSHA approved safety cover.

My company, **J-CAT Enterprises**, manufactures an OSHA-approved (Certificate attached) column base safety cover that complies with the **California Code of Regulations Title 8, Subchapter 4, Article 29 Section 1712 Impalement Prevention Law** (copy attached).

Simply by using this safety cover that goes over column bracket straps, all possibilities of impalement or injury are eliminated.

Additionally, in April 2004, with SB899 Workman's Compensation Reform Bill was implemented. In accordance with Governor Schwarzenegger's bill Section 6401.7 (pertinent portion attached) requires ALL employers to institute an illness and injury prevention plan (iipp) in an effort to minimize workplace injuries.

The proposal I seek is simply to enforce existing California Code of Regulations Section 1712 and comply with Governor Schwarzenegger's Workman's Compensation Reform Bill SB 899.

- **Building contractors and individual** who install Column Base brackets must be held accountable.
- **Building Departments** must be required to "sign off" on building permits in compliance with the approved safety cover.
- **Brackets must be covered** immediately after installation – and remain covered with the OSHA-approved cover -- until the patio cover or deck is built.

In this way, the safety of all people (workers and homeowners) is ensured and all costs and liabilities associated with this previously overlooked problem are eliminated.

Please contact me if anything further is needed to support my request for this much-needed reform.

Sincerely,

David F. Wagner
Owner

cc: Dave Walls, State Housing Law Program Manager
Division of Codes and Standards
State of California Business, Transportation and Housing Agency
Department of Housing and Community Development
P. O. Box 1407
Sacramento, Ca 95812-1407

Thank you for your correspondence of March 29.

David F. Wagner